

STATE OF WISCONSIN

Senate Journal

Ninety–Eighth Regular Session

FRIDAY, February 15, 2008

The Chief Clerk makes the following entries under the above date.

CHIEF CLERK'S ENTRIES

AMENDMENTS OFFERED

Senate substitute amendment 1 to **Senate Bill 457** offered by Senator Vinehout.

INTRODUCTION, FIRST READING, AND REFERENCE OF PROPOSALS; REFERENCE OF APPOINTMENTS

Read and referred:

Senate Joint Resolution 90

Relating to: commending students, faculty, and staff of the University of Wisconsin System campuses on Undergraduate Research Day.

By Senator Vinehout; cosponsored by Representatives Rhoades and Nass.

To committee on **Senate Organization**.

Read first time and referred:

Senate Bill 488

Relating to: the Physical Therapists Affiliated Credentialing Board.

By Senators Sullivan, Schultz, S. Fitzgerald and Darling; cosponsored by Representatives Wieckert, Soletski, Strachota, Newcomer, Nygren, F. Lasee, Nelson, Davis, Moulton, Albers, Jeskewitz, Musser, Kaufert, Pridemore, Van Roy, Owens, A. Ott and Nerison.

To committee on **Health, Human Services, Insurance, and Job Creation**.

Senate Bill 489

Relating to: payment of a police officer's or fire fighter's salary after being charged with a misdemeanor or felony and discharged, and the adjournment of a trial or investigation relating to charges brought against a first class city police officer or fire fighter.

By Senators Grothman, Roessler and Carpenter; cosponsored by Representatives Gottlieb, Nass, Kerkman, Hahn, Vos, Kleefisch and LeMahieu.

To committee on **Judiciary, Corrections, and Housing**.

Senate Bill 490

Relating to: eliminating an assessment on the gross private patient revenue of hospitals, creating an assessment on the gross patient revenue of hospitals, creating a hospital assessment trust fund, increasing the Medical Assistance and Badger Care payment rate for hospitals, requiring monthly payments by

health maintenance organizations to hospitals and reconciliation of payments with actual utilization of services, increasing supplemental Medical Assistance payments to rural hospitals, transferring moneys from the hospital assessment fund to the injured patients and families compensation fund, requiring the Department of Health and Family Services annually to submit a report for review by the Joint Committee on Finance, and making appropriations.

By Senators Breske, Kreitlow, Lassa, Lehman, Sullivan, Miller and Decker; cosponsored by Representatives Seidel, Schneider, Black and A. Williams.

To committee on **Health, Human Services, Insurance, and Job Creation**.

Senate Bill 491

Relating to: eliminating the study related to imposing local general property taxes on public utility property.

By Senator Plale; cosponsored by Representative Honadel.

To committee on **Tax Fairness and Family Prosperity**.

Senate Bill 492

Relating to: vacancies in appointive state offices.

By Senators Jauch and Miller; cosponsored by Representatives Sherman, Van Akkeren and Sinicki.

To committee on **Ethics Reform and Government Operations**.

Senate Bill 493

Relating to: providing information about suicide prevention to public and private school professional staff.

By Senators Lehman, Darling, Lassa, Plale, Risser and Roessler; cosponsored by Representatives Van Akkeren, Berceau, Hahn, Nygren, Pocan, Pope–Roberts, Sheridan and Turner.

To committee on **Education**.

Senate Bill 494

Relating to: changing the procedures for filling vacant civil service positions in the city of Milwaukee.

By Senators Taylor and Plale; cosponsored by Representatives Sinicki, Cullen, Fields, Grigsby, Lothian, Stone, Toles, A. Williams and Zepnick.

To committee on **Labor, Elections and Urban Affairs**.

Senate Bill 495

Relating to: providing services to homeless public school pupils and making an appropriation.

By Senators Lassa and Hansen; cosponsored by Representatives Mason, Boyle, Parisi, Pope–Roberts, Sheridan, Soletski, Turner and Young.

To committee on **Education**.

Senate Bill 496

Relating to: the consequences for failure to act within a time period specified in the Children's Code or the Juvenile Justice Code, extension of certain time periods specified in the

Children's Code, and informal dispositions under the Children's Code.

By Senators Coggs and Darling; cosponsored by Representatives Jeskewitz and Grigsby.

To committee on **Judiciary, Corrections, and Housing.**

Senate Bill 497

Relating to: assistant district attorney positions and making an appropriation.

By Senators Sullivan, Taylor, Carpenter, Erpenbach, Darling, Plale, Kanavas, Harsdorf, Risser and Roessler; cosponsored by Representatives Staskunas, Hraychuck, Soletski, Richards, Jeskewitz, Nelson, Zepnick, A. Ott, Cullen, Berceau, Sinicki, Molepske and Hintz.

To committee on **Judiciary, Corrections, and Housing.**

Senate Bill 498

Relating to: possession of an electric weapon.

By Senators Lassa, Grothman, Olsen, Cowles, Harsdorf, Lazich, Roessler, Schultz and Kedzie; cosponsored by Representatives Ballweg, Bies, Hines, Kestell, LeMahieu, Molepske, Mursau, Ziegelbauer, Albers, Friske, Gottlieb, Hahn, Hixson, Jeskewitz, Kaufert, Musser, Nygren, A. Ott, Petrowski, Tauchen, Townsend and Lothian.

To committee on **Judiciary, Corrections, and Housing.**

Senate Bill 499

Relating to: an income and franchise tax credit for research conducted in this state by a corporation and a property and sales and use tax exemption for certain tangible personal property used to conduct research.

By Senators Kreitlow, Kanavas, Sullivan, Olsen, Darling, Kapanke, Leibham, Kedzie and Roessler; cosponsored by Representatives Kleefisch, Smith, Jorgensen, A. Ott, Hahn, Seidel, Strachota, Kerkman, Townsend, Turner, Gronemus, Van Roy and Musser.

To joint survey committee on **Tax Exemptions.**

Senate Bill 500

Relating to: creating an agricultural education and workforce development council and making an appropriation.

By Senators Vinehout, Olsen, Lehman, Darling, Hansen, Harsdorf, Lassa, Kapanke, Plale, A. Lasee, Erpenbach, Roessler, Breske, Jauch and Taylor; cosponsored by Representatives A. Ott, Gronemus, Davis, Vruwink, Hines, Fields, Hahn, Petrowski, Townsend, Murtha, M. Williams, Albers, Sheridan, Nygren, Molepske, Musser, Seidel, Friske, Strachota, Hubler, Garthwaite and Steinbrink.

To committee on **Agriculture and Higher Education.**

REPORT OF COMMITTEES

The committee on **Commerce, Utilities and Rail** reports and recommends:

FISCHER, JACK, of Appleton, as Secretary of the Department of Commerce, to serve for the term ending at the pleasure of the Governor.

Confirmation.

Ayes, 7 – Senators Plale, Breske, Wirch, Hansen, Cowles, Harsdorf and Kedzie.

Noes, 0 – None.

JEFFREY PLALE

Chairperson

The committee on **Judiciary, Corrections, and Housing** reports and recommends:

Senate Bill 124

Relating to: notice for child abuse, vulnerable adult, and harassment injunctions.

Adoption of Senate Amendment 1.

Ayes, 4 – Senators Taylor, Sullivan, Vinehout and Lazich.
Noes, 1 – Senator Grothman.

Passage as amended.

Ayes, 4 – Senators Taylor, Sullivan, Vinehout and Lazich.
Noes, 1 – Senator Grothman.

Senate Bill 319

Relating to: providing the jury in civil actions with an explanation regarding the results of their findings.

Passage.

Ayes, 3 – Senators Taylor, Sullivan and Vinehout.
Noes, 2 – Senators Lazich and Grothman.

Senate Bill 364

Relating to: the definition of sexual intercourse for the crime of incest.

Passage.

Ayes, 5 – Senators Taylor, Sullivan, Vinehout, Lazich and Grothman.

Noes, 0 – None.

Senate Bill 382

Relating to: information provided by a person required to register as a sex offender.

Passage.

Ayes, 5 – Senators Taylor, Sullivan, Vinehout, Lazich and Grothman.

Noes, 0 – None.

Senate Bill 406

Relating to: parenting plans in actions affecting the family.

Passage.

Ayes, 5 – Senators Taylor, Sullivan, Vinehout, Lazich and Grothman.

Noes, 0 – None.

Senate Bill 407

Relating to: a municipal court judgment regarding community service work.

Passage.

Ayes, 5 – Senators Taylor, Sullivan, Vinehout, Lazich and Grothman.

Noes, 0 – None.

Senate Bill 418

Relating to: appellate time limits and procedure.

Passage.

Ayes, 5 – Senators Taylor, Sullivan, Vinehout, Lazich and Grothman.

Noes, 0 – None.

Senate Bill 419

Relating to: appellate procedure.

Passage.

Ayes, 3 – Senators Taylor, Sullivan and Vinehout.
Noes, 2 – Senators Lazich and Grothman.

Senate Bill 420

Relating to: appellate procedure regarding commitments of persons found not guilty by reason of mental disease or defect and commitments of sexually violent persons.

Passage.

Ayes, 5 – Senators Taylor, Sullivan, Vinehout, Lazich and Grothman.

Noes, 0 – None.

LENA TAYLOR

Chairperson

PETITIONS AND COMMUNICATIONS

State of Wisconsin Office of the Senate President

February 15, 2008

The Honorable, the Senate:

Pursuant to Senate Rule [46 \(2\)\(c\)](#), I am writing to inform you that I have directed the following proposal(s) to be withdrawn from committee and rereferred. I have obtained the consent of the appropriate standing committee chairperson and the chairperson of the committee on **Senate Organization**.

Senate Bill 292 withdrawn from joint committee on **Finance** and rereferred to committee on **Senate Organization**.

Sincerely,
FRED A. RISSER
Senate President

State of Wisconsin Senate

February 15, 2008

The Honorable, the Senate:

I am writing to you in my capacity as the chairperson of the Senate Committee on **Health, Human Services, Insurance, and Job Creation**. Senate Bill 416 which creates a new crime or revises an existing criminal penalty, was referred to my committee. I am writing to you under s. [13.525 \(5\) \(a\)](#), Wis. Stats., to request that the Joint Review Committee on **Criminal Penalties** prepare a report on the bill under s. [13.525 \(5\) \(b\)](#), Wis. Stats.

If you have any questions, please do not hesitate to contact me.

Sincerely,
JON ERPENBACH
State Senator

State of Wisconsin Legislative Reference Bureau

February 14, 2008

To the Honorable, the Legislature:

The following rules have been published in the January 31, 2008 Wisconsin Administrative [Register No. 625](#):

<u>Clearinghouse Rules</u>	<u>Effective Date(s)</u>
06-081	2-1-2008
07-006	2-1-2008
07-014	(part) 2-1-2008
	(part) 4-1-2008
07-021	2-1-2008
07-025	2-1-2008
07-034	2-1-2008
07-043	2-1-2008
07-055	2-1-2008
07-059	2-1-2008

Sincerely,
BRUCE J. HOESLY
Senior Legislative Attorney/Code Editor

State of Wisconsin Government Accountability Board

February 7, 2008

The Honorable, The Senate:

The following lobbyists have been authorized to act on behalf of the organizations set opposite their names.

For more detailed information about these lobbyists and organizations and a complete list of organizations and people authorized to lobby the 2007-2008 session of the legislature, visit the Government Accountability Board's web site at: <http://ethics.state.wi.us/>

Brooks, Bryan	Insight Schools
Broydrick, William	Centerpoint
Chandler, Richard	Wisconsin Coalition of Virtual School Families
DeMars, Cheryl	Employer Health Care Alliance Cooperative
Elverman, Timothy J	KL Distance Learning, Inc.
Essie, Patrick	Wisconsin Ready Mixed Concrete Association
Fucik, Patrick	Sprint Nextel Corporation
Hubbard, Gregory	Centerpoint
Johns, Jason E	Coventry
Langenohl, Tony	Affinion Group
Mettner, Michelle	KL Distance Learning, Inc.
Mnuk, Katherine	Wisconsin Federation of Cooperatives
Mohrman, Christopher C.	Wisconsin Coalition of Virtual School Families
Nitzel, Lori	Alliance for Animals
Petersen, Eric J	Quad/Graphics, inc
Rogowski, Michael	Insight Schools
Seligman, Noah	RENEW Wisconsin
Tyre, Scott	US Oil Co., Inc
Weffring, David	3M
Welch, Robert	Wisconsin Occupational Therapy Association
Zuleger, Chad	Wisconsin Association of Health Underwriters

Also available from the Wisconsin Government Accountability Board are reports identifying the amount and value of time state agencies have spent to affect legislative action and reports of expenditures for lobbying activities filed by organizations that employ lobbyists.

Sincerely,
KEVIN KENNEDY
Legal Counsel

Pursuant to Senate Rule [17 \(5\)](#), Senator Harsdorf added as a coauthor of **Senate Joint Resolution 90**.

REFERRALS AND RECEIPT OF COMMITTEE REPORTS CONCERNING PROPOSED ADMINISTRATIVE RULES

Senate [Clearinghouse Rule 07-114](#)

Relating to vehicle emission inspection program.
Submitted by Department of Transportation.
Report received from Agency, February 14, 2008.
Referred to committee on **Transportation and Tourism**,
February 15, 2008.